

PUBLIC CHAPTER NO. 881

SENATE BILL NO. 4159

By Kyle, Harper, Marrero, Ford, Burks

Substituted for: House Bill No. 4115

By Ulysses Jones, Odom, Cooper, Hardaway, Camper

AN ACT to amend Tennessee Code Annotated, Title 41, Chapter 1, Part 1, relative to transfer of department of correction inmates to local confinement for participation in local pre-release programs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 41, Chapter 1, Part 1, is amended by adding a new section thereto, as follows:

Section 41-1-1__.

(a) The commissioner is authorized to enter into agreements with local governmental entities for the transfer of appropriate Department of Correction inmates to confinement in a local facility to participate in local pre-release programs. Participation by any county in such a program is voluntary.

(b) No inmate shall be considered for transfer under an agreement authorized by this section unless expiration of the inmate's sentence is anticipated to occur within one year after such transfer, or unless the inmate has been recommended for release on parole by the board of probation and parole.

(c) No inmate shall be considered for transfer under an agreement authorized by this section unless such inmate is considered a non-violent offender.

(d) The transfer of a Department of Correction inmate to physical custody in a local facility under this section does not operate to reinvest the trial court with jurisdiction over the manner of the inmate's sentence service. An inmate transferred under this section will be removed from the program and returned to the physical custody of the department at the sole discretion of the department.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 28, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 8th day of May 2008



PHIL BREDESEN, GOVERNOR